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SIPDIS

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TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [IZ](#)
SUBJECT: KIRKUK LEADERS' DISCUSSIONS WITH SPECIAL ADVISOR,
PART II: ARTICLE 140 PROPERTY RELOCATIONS FROZEN, PROS AND
CONS OF CLCS

REF: BAGHDAD 3632

Classified By: CLASSIFIED BY PRT KIRKUK TEAM LEADER HOWARD KEEGAN FOR R
EASONS 1.4 (a) AND (d).

¶1. (SBU) This is the second of two PRT Kirkuk cables reporting meetings of Senior Advisor (S/A) Krajieski with Kirkuki Arab, Turkmen, and Kurdish provincial leaders. This message reports their views on the dispute over agricultural land contracts under Article 140, and on Prime Minister Maliki's proposal for a Kirkuk tribally-based security organization (referred to as "CLCs"*similar to the Sahwa/Sons of Iraq, except with a direct connection to the Prime Minister's office).

SUMMARY

¶2. (SBU) All groups favored a legally-binding, non-violent solution to the land contracts issue (albeit supporting it with significant and sharply different reservations). Kurd and Arab interlocutors raised the CLC issue without prompting from S/A Krajieski, with the Kurds opposing and Arabs favoring the proposal. END SUMMARY.

¶3. (SBU) On November 10 meetings S/A Tom Krajieski met Kurdish Governor Abdulrahman Mustafa, Arab Deputy Governor Rakan Saeed, Kurdish Provincial Council Chair Rizgar Ali (jointly with KDP PC member Mohammed Kamal), and key provincial council members from the Turkmen and Arab blocs in Kirkuk.

ARTICLE 140-BASED LAND CONTRACT RELOCATIONS

¶4. (C) Resolution #4 of the Article 140 Committee, and the statute of the Commission for the Resolution of Real Property Disputes (CRRPD) annul agricultural contracts signed as part of the Saddam-era government of Iraq's "Arabization" policy. The laws call for the relocation of current Arabs farming this land (with compensation), and return of the land to previous (largely Kurdish, Turkmen, and but also some Arab) owners. Specifically in question are 5,676 Arab farmers in the Al Hawija area whose contracts were canceled. Governor Abdulrahman (Kurdish) asked police in October to postpone any relocations until the end of November. S/A Krajieski has asked all parties to suspend any action for the near- to mid-term future in order to maintain stability and avoid violence in the province. Predictably, Kurdish and Turkmen leaders strongly support immediate action, while Arab leaders are resisting implementation.

¶5. (C) Neither PC Chair Rizgar nor KDP PC member Mohammad Kamal (both Kurdish) said they would advocate forcible removal of current renters from land. However, Rizgar indicated that the CRRPD established under federal law was not functioning well. He claimed that GOI is intentionally slowing the allocation of funds intended to compensate current residents scheduled for relocation for political reasons: the GOI wanted to delay compensating the (mostly Arab) renters who would relocate in order to delay their

departure from Kirkuk, which would in turn delay normalization in the province, ultimately delaying or preventing Kirkuk from becoming part of the KRG.

¶16. (C) Rizgar and Mohammed Kamal took strong exception to S/A Krajieski's recommendation to suspend the eviction of Arab farmers in order to avoid violence. Saying he "was tired of this," Rizgar accused the USG of favoring Arabs' claims regarding the injustice of the proposed evictions without understanding that the same Arabs had previously obtained those lands unjustly. He enlarged his diatribe to claim that the U.S. favors Arabs in Arab-Kurd disputes. He asked why the USG did not confront Arabs regarding their past oppression of the Turkmen and Kurds, and advise Arabs of the need to provide restitution now.

¶17. (C) Governor Abdulrahman echoed Rizgar's allegation that the GOI had failed to provide adequate funds to compensate the Arabs facing relocation, saying he had even asked UNAMI to pressure the central government to provide funds.

¶18. (C) The Governor indicated he has decided to delay implementation of the relocation decision "in order to avoid bloodshed." He claimed he was under tremendous pressure from Turkmen and Kurdish PC members and land owners, who demanded the eviction of the Arab renters. He said he had met with both and told them he was delaying implementation. He also proposed a compromise by which current Arab renters could work with the GOI and reputed original owners to switch the lease from the GOI to the original owners.

¶19. (C) Arab PC members Burhan Al Ubedi and Mohammad Khalil

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believe that the law's reference to lands taken for Arabization referred only to land seized after 1986. After some discussion they conceded that the law actually identified 1968 as the year in which Arabization began, but they claimed this was not correct, implying that the date was imposed upon Arabs by "the other side."

¶10. (C) Mohammad Khalil blamed the KDP for inflaming the situation by issuing provocative statements in the press and arranging for non-Kirkuki Kurds to move to the province. Burhan added that people feared intimidation by the Kurdish political parties regarding the submission of evidence unfavorable to the Kurds.

¶11. (C) Mohammad Khalil opined that the success of the process depends on the financial and moral support of Maliki, but said the Arabs will wait on any action to give the committee time to work. Khalil mentioned that on November 14 the Article 140 committee would be holding a meeting in Erbil, and that the Minister of Energy would be attending the meeting.

¶12. (C) Deputy Governor Rakan Saeed (Arab) laced his comments with inflammatory remarks about U.S. responsibility for Kirkuk's problems. He also advanced distorted arguments about the origin of the land dispute, saying that Kurdish and Turkmen land had been legally taken under the Iraqi equivalent of eminent domain in the United States, and that all who had lands taken had received compensation from the (Saddam-era) Iraqi government. He would not acknowledge that non-Kirkuki Arabs benefited from Arabization, that Turkmen and Kurds who had lost land had a constitutional right to reclaim their lands, or that Arab renters must relinquish their current land holdings.

¶13. (C) However, in between these comments, Rakan said the land contracts situation was frozen for now. He further stated that he wants displaced Kirkukis to return, and agreed that Kirkuk needs to find a legal way to resolve the situation that involves all parties, and through which all parties follow the law and give up force and violence. He asked that S/A Krajieski and Ambassador Crocker work with GOI

to activate the committees to start work on solutions.

¶14. (SBU) Turkmen PC members did not discuss the land contracts issue.

CLCS

¶15. (C) PC Chair Rizgar (Kurd) opposed PM Maliki's proposal for "CLC" (Concerned Local Citizens) groups with security functions in Kirkuk, maintaining that the province doesn't need such groups right now. (NOTE: Our Kirkuki interlocutors referred to the proposed organization as "CLCs," even though in practice it may have a different relationship to the GOI than the Sahwa/SOI/CLC has. END NOTE.) He said the Iraqi Army and Iraqi Police in Kirkuk agreed. He noted that the Iraqi Constitution does not permit Maliki to create new security forces, and thinks Maliki should spend the GOI's money on "the people," and addressing unemployment, rather than on this program. He said that Maliki did not consult with Kurds before advancing the proposal, only with ex-Ba'athists and Kurds who worked under Saddam.

¶16. (C) Arab PC member Mohammad Khalil thinks Maliki's proposal will counterbalance Kurdish militias in the province. He thought that hiring more Arab and Turkmen for the Iraqi police would not be a better solution because IP leadership in Kirkuk is "all from one side."
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